



## TESTIMONY

**COMMITTEE:** House Environment and Transportation

**DATE:** February 3, 2026

**POSITION:** Unfavorable

**BILL:** HB 120

The Maryland Municipal League (MML) has taken an unfavorable position on House Bill 120, which imposes a statewide moratorium on the construction of new data centers. The primary concern expressed by the League centers on the bill's infringement upon local authority, a foundational principle for municipal governments throughout Maryland.

Local governments have long held the responsibility and legal authority to manage land use, zoning, and economic development within their jurisdictions. These powers are essential to ensuring that local needs, preferences, and priorities are addressed by those who are closest and most accountable to their communities. With House Bill 120, the State would strip municipalities and counties of the discretion to review, approve, or regulate the construction of new data centers, regardless of local circumstances or community wishes.

Such preemption of local authority is particularly alarming as it ignores the unique economic and developmental contexts of Maryland's diverse municipalities. In many cases, local governments may view the establishment of data centers as valuable opportunities to spur economic growth, create jobs, and expand the tax base. However, under the proposed legislation, even communities that would benefit from hosting these facilities are deprived of the ability to pursue or negotiate these benefits. The bill's "one-size-fits-all" prohibition disregards the careful planning and due diligence that local officials routinely undertake in their land use decisions.

Moreover, MML is concerned by the lack of flexibility or process for local input provided in the bill. Traditionally, when statewide challenges exist, state and local leaders work collaboratively to establish guidelines or best practices. House Bill 120 does not include provisions for such collaboration, nor does it allow for exceptions or waivers based on local considerations. This not only undermines the foundational principle of shared governance but also sets a troubling precedent for further erosion of local self-determination in the future.

*MML represents 161 local governments and about 2 million Maryland residents.*

The Maryland Municipal League's opposition, ultimately, is rooted in the belief that municipal and county governments must retain the authority to make decisions that shape the economic and physical landscape of their communities. By overriding local decision-making authority in the matter of data center construction, House Bill 120 impedes municipalities' ability to manage their own affairs, adapt to changing economic opportunities, and serve the best interests of their residents.

For these reasons, the League calls for the preservation of local authority and urges the General Assembly to reconsider broad, preemptive legislation that removes critical tools from the hands of local governments. Instead, any concerns regarding the siting or operation of data centers should be addressed through collaborative, nuanced approaches that respect the autonomy and expertise of Maryland's municipalities.

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For more information relating to this piece of testimony, please contact:

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